

REMARKS

Claims 9-17 and 32-34 were submitted for examination. All claims were rejected. Claims 10, 11, and 16 have been cancelled. Claims 9, 15, 17, 32, 33 and 34 have been amended. New claims 35-37 have been added. No new matter has been added. Reconsideration and reexamination of the above-referenced patent application, is respectfully requested.

35 U.S.C. § 102(a)/(e) Rejection – Lelievre

Claims 9-17 and 32-34 have been rejected by the Examiner under 35 U.S.C. 102(a)/(e) as being anticipated by U.S. Application No. 2003/0040272 to Lelievre, et al. ("Lelievre").

Independent claim 9 recites in part:

"using the location information to recommend a second geographic location when the second geographic location is associated with one or more services fitting a criteria better than the one or more services associated with the first geographic location."

(Emphasis added).

Lelievre teaches a location-aware radio transmitting location information to the service provider and receiving updated tuning information from the service provider. The updated tuning information is stored by the radio in a memory that can be accessed repeatedly. Lelievre, however, does not teach "recommend a second geographic location when the second geographic location is associated with one or more services fitting a criteria better than the one or more services associated with the first geographic location", as claimed in claim 9.

Applicant submits that, at least for the above reason, the 102(a)/(e) rejection has been overcome and that claim 9 and its dependent claims are patentable over Lelievre. For the same reason, applicant submits that independent claims 15 and 32 and their corresponding dependent claims are also patentable over Lelievre.

35 U.S.C. § 102(a) Rejection - Slupe

Claims 9-17 and 32-34 have been rejected by the Examiner under 35 U.S.C. 102(a) as being anticipated by U.S. Application No. 2003/0032399 to Slupe ("Slupe"). Applicant submits that, at least for the above reason for Lelievre, the 102(a) rejection has been overcome and that claim 9 and its dependent claims are patentable over Slupe. For the same reason, applicant submits that independent claims 15 and 32 and their corresponding dependent claims are also patentable over Slupe.

35 U.S.C. § 102(b) Rejection - Morita

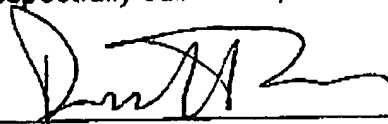
Claims 9-17 and 32-34 have been rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,864,753 to Morita et al. ("Morita"). Applicant submits that, at least for the above reason for Lelievre, the 102(b) rejection has been overcome and that claim 9 and its dependent claims are patentable over Morita. For the same reason, applicant submits that independent claims 15 and 32 and their corresponding dependent claims are also patentable over Morita.

CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call David Tran at (408) 765-4692.

Authorization is hereby given to charge our Deposit Account No. 50-0221 for any charges that may be due.

Respectfully submitted,



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David N. Tran
Attorney of Record for Applicant(s)
Reg. No. 50,804
Direct Phone No. (408) 476-7664